

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DAVID ALLEN KLASSEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-20-00918-JD
	)	
MAJOR COUNTY JAIL, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On September 25, 2020, United States Magistrate Judge Shon T. Erwin granted Plaintiff's Motion to Proceed *in Forma Pauperis* [Doc. No. 2], but ordered Plaintiff to pay an initial partial filing fee of \$24.69 by October 16, 2020, followed by monthly payments thereafter until the total filing fee was paid. [Doc. No. 5]. Plaintiff was cautioned that failure to pay the initial partial filing fee by October 16, 2020 would result in dismissal of this matter. Plaintiff did not timely pay the initial filing fee, and on October 30, 2020, Judge Erwin issued a Report and Recommendation [Doc. No. 6] recommending that this action be dismissed without prejudice for Plaintiff's failure to pay the initial filing fee.

Judge Erwin advised Plaintiff of his right to object to the Report and Recommendation by November 16, 2020, and that Plaintiff's failure to make a timely objection waives the right to appellate review of the factual findings and legal issues in the Report and Recommendation. Plaintiff has not filed any objection, nor has he paid the required initial partial filing fee.

The Court therefore **ADOPTS** the Report and Recommendation [Doc. No. 6] in its entirety for the reasons stated therein. Plaintiff's Complaint [Doc. No. 1] is hereby **DISMISSED** without prejudice.

**IT IS SO ORDERED** this 30th day of November 2020.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE